

Exhibit C

Deposition Transcript of Kayla Gore

GORE, et al.

vs.

LEE, et al.

KAYLA GORE

April 13, 2020



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1 **IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE**
2 **DISTRICT OF TENNESSEE AT NASHVILLE**

3 **KAYLA GORE; L.G.; and K.N.,**

4 **Plaintiffs,**

5 **vs.**

Case No. 3:19-CV-00328

6 **WILLIAM BYRON LEE, in his**
7 **official capacity as Governor**
8 **of the State of Tennessee; and**
9 **LISA PIERCEY, in her official**
 capacity as Commissioner of the
 Tennessee Department of Health,

10 **Defendants.**

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14
15 **Videoconference Deposition of:**

16 **KAYLA GORE**

17 **Taken on behalf of the Defendant**
18 **April 13, 2020**

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22
23 **Elite Reporting Services**
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S T I P U L A T I O N S

The videoconference deposition of KAYLA GORE was taken by counsel for the Defendant, by Agreement, with all participants appearing at their respective locations on April 13, 2020, for all purposes under the Federal Rules of Civil Procedure.

All objections, except as to the form of the question, are reserved to the hearing, and that said deposition may be read and used in evidence in said cause of action in any trial thereon or any proceedings herein.

It is agreed that R. MICHELLE SMITH, RMR, and Licensed Court Reporter for the State of Tennessee, may swear the witness, and that the reading and signing of the completed deposition by the witness are not waived.

1 * * *

2
3 THE REPORTER: Good afternoon. My name
4 is Michelle Smith. I am a Tennessee licensed
5 reporter with Elite Reporting Services. My LCR
6 number is LCR Number 544.

7 Today's date is April 13, 2020, and the
8 time is approximately 1:11 p.m. central.

9 This is the deposition of Kayla Gore in
10 the matter of Gore v. Lee, et al., filed in the
11 United States District Court for the Middle District
12 of Tennessee, Nashville division. The case number is
13 3:19-CV-00328.

14
15 * * *

16 KAYLA GORE,
17 was called as a witness, and after having been duly
18 sworn, testified as follows:

19
20 DIRECT EXAMINATION

21 QUESTIONS BY MS. SHEW:

22 Q. All right. Thank you.

01:13:23

23 Ms. Gore, you can put your hand down now
24 if you'd like. Now, I believe that the best way that
25 this will work is for you and I to remain unmuted

01:13:24

01:13:27

01:13:30

1 with our microphones active. And to the extent that
2 other people can mute, that would be great, because I
3 do think it's helping the sound quality.

4 Just a couple more announcements before
5 we begin. Obviously we are here today for the
6 deposition of the Plaintiff, Kayla Gore. And so that
7 the record is clear, the witness, counsel and the
8 court reporter are all participating via WebEx. We
9 have stipulated that Ms. Gore may be sworn remotely,
10 and the oath will be binding as if she were sworn in
11 person.

12 While there is video availability using
13 WebEx, and as the court reporter pointed out, it's
14 possible that everybody can see you while this call
15 is ongoing, we are not making a video recording of
16 this deposition. It will be recorded by normal
17 stenographic means only. So there will be a paper
18 transcript of everything that's said, but we are not
19 making a video recording. All attorney objections
20 except to the form of the question are reserved and
21 don't have to be made at this time, just form of the
22 question.

23 What I think, I think because we have
24 this interesting format, I think it would be best, we
25 don't necessarily need to have a roll call, because I

1 think that's going to just create more sound 01:14:51
2 confusion, but if we could just, I will announce that 01:14:55
3 on the call right now, on behalf of the Defendants 01:14:57
4 are myself, Diana Shew and senior assistant attorney 01:15:00
5 general, Sara Sedgewick. 01:15:05

6 So if somebody from the Plaintiff's 01:15:06
7 counsel could just give a listing of who all is 01:15:09
8 participating either by phone or on this video, that 01:15:13
9 would be great so the court reporter will have a good 01:15:17
10 record of who is participating. Does somebody want 01:15:21
11 to do that? 01:15:36

12 MS. KADIVAR: Hello, can you guys hear 01:15:37
13 me? 01:15:39

14 MS. SHEW: Yes. 01:15:41

15 MS. KADIVAR: This is Sammy Kadivar from 01:15:41
16 Baker Botts, and with me is Kathryn Christopherson, 01:15:43
17 also from Baker Botts, and Brant Roessler also from 01:15:46
18 Baker Botts. And then we have Sasha Buchert, from 01:15:49
19 Lambda Legal. 01:15:49

20 MS. SHEW: All right. Thank you. Thank 01:15:56
21 you. And with that, I believe we are ready to 01:15:57
22 proceed unless anybody has any more questions or 01:16:01
23 announcements before we start. All right. Again, I 01:16:04
24 think it is important to not step on each other's 01:16:10
25 toes verbally, just because it does mess up the WebEx 01:16:14

1 sound. And certainly if people can remain mute 01:16:18
2 that's good. If somebody wants to make an objection 01:16:23
3 and comes in -- comes in a little late because they 01:16:26
4 had to unmute, that's going to work fine, we're not 01:16:31
5 going to call you out because you didn't get in fast 01:16:34
6 enough on an objection, we're not going to do 01:16:35
7 anything like that so. 01:16:39

8 BY MS. SHEW: 01:16:39

9 Q. All right. Ms. Gore, again, my name is 01:16:41
10 Dianna Shew. Would you just please state your full 01:16:43
11 name for the record, please. 01:16:46

12 A. Kayla Renee Gore. 01:16:47

13 Q. Ms. Gore, I am a senior assistant attorney 01:16:53
14 general, I represent the Defendants in this lawsuit 01:16:57
15 that you and other Plaintiffs have filed. Have you 01:16:58
16 ever given a deposition before? 01:17:01

17 A. No, ma'am. 01:17:02

18 Q. Okay. Well, I'm sure your attorneys have 01:17:05
19 explained this, but just so we can have some ground 01:17:10
20 rules on the record, as we've talked about, there is 01:17:13
21 a court reporter who is going to be taking down 01:17:14
22 everything that everybody says, and creating a paper 01:17:16
23 transcript, or electronic transcript, but no video. 01:17:18
24 So it's important that we both give audible 01:17:23
25 responses, things like yes or no, or you know, 01:17:28

1 sentences, whatever you need to tell the truth and 01:17:31
2 answer the question. But no head nods or uh-huhs or 01:17:36
3 huh-huhs because those never -- those just never seem 01:17:40
4 to come out right. 01:17:41

5 If at any point I ask you a question and 01:17:42
6 you can't hear the question or you don't understand 01:17:45
7 my question, please tell me that, and I'll be glad to 01:17:47
8 restate or rephrase the question for you. The other 01:17:52
9 thing I would say, is if at any point you need a 01:17:59
10 break, just say so. This is not an endurance 01:17:59
11 competition. I just ask that you not ask for a break 01:18:01
12 when I've got an open question out there that you 01:18:03
13 haven't answered yet. I don't expect this deposition 01:18:06
14 is going to take an incredibly long time at all. I 01:18:10
15 try to be pretty efficient, but again, if at any 01:18:14
16 point you want or need a break, just say so and we 01:18:16
17 will take a break. 01:18:21

18 All right. Ms. Gore, what is your 01:18:22
19 current address? 01:18:25

20 A. [REDACTED] 01:18:26
21 [REDACTED]. 01:18:34

22 Q. And you have resided in Memphis your entire 01:18:34
23 life except for one year; correct? 01:18:37

24 A. Yeah. 01:18:41

25 Q. And what is -- sorry, when was the one year 01:18:42

1	that you did not reside in Memphis?	01:18:48
2	A. I can't recall the exact year.	01:18:49
3	Q. Do you know the approximate year?	01:18:54
4	A. I think 2008.	01:18:56
5	Q. Okay. And where did you live during that	01:19:05
6	time period?	01:19:08
7	A. Phoenix, Arizona.	01:19:11
8	Q. What was your reason or motivation for moving	01:19:17
9	to Phoenix at that time?	01:19:22
10	A. I was offered a job at the University of	01:19:25
11	Phoenix, in their call center.	01:19:27
12	Q. Okay. Did you work in that call center for	01:19:30
13	that year?	01:19:34
14	A. I did not.	01:19:34
15	Q. Did you -- but you lived in Phoenix during	01:19:38
16	that time?	01:19:45
17	A. Yes.	01:19:45
18	Q. Okay. Did you attend high school in Memphis?	01:19:46
19	A. Yes.	01:19:55
20	Q. What high school is that?	01:19:58
21	A. Melrose high school.	01:20:00
22	Q. Did you attend college after high school?	01:20:07
23	A. Yes.	01:20:10
24	Q. Where was that?	01:20:10
25	A. Southwest Community College.	01:20:12

1	Q.	Did you obtain a degree there?	01:20:22
2	A.	No.	01:20:24
3	Q.	Okay. What kind of courses were you studying	01:20:25
4		when you were at Southwest Community College?	01:20:29
5	A.	Business administration and sociology.	01:20:32
6	Q.	Did you take any other college courses after	01:20:36
7		leaving Southwest Community College?	01:20:42
8	A.	Yes.	01:20:47
9	Q.	Okay. Can you describe that for me, please?	01:20:49
10	A.	They were online classes with the University	01:20:51
11		of Phoenix.	01:20:57
12	Q.	Okay. What kind of topics were you studying?	01:20:58
13	A.	Business administration.	01:21:02
14	Q.	And did you get any type of degree from the	01:21:06
15		University of Phoenix?	01:21:12
16	A.	No.	01:21:13
17	Q.	Any other college coursework?	01:21:15
18	A.	No.	01:21:18
19	Q.	Okay. Do you have any specialty training	01:21:21
20		outside of college course work, any training that	01:21:28
21		you've taken for specialty types of jobs?	01:21:32
22	A.	Yes.	01:21:37
23	Q.	Okay. Describe that for me, please.	01:21:38
24	A.	I'm a certified HIV tester with the State of	01:21:43
25		Tennessee, through the Department of Health.	01:21:55

1 Q. Did you say a certified -- say that again, 01:21:57
2 I'm sorry, I didn't hear it. 01:21:59
3 A. A certified HIV tester. 01:22:00
4 Q. Tester. Okay. Okay. Anything else? 01:22:03
5 A. That's all. 01:22:09
6 Q. Okay. Do you hold any other certificates or 01:22:11
7 licenses besides that? 01:22:14
8 A. Certificates, yes. I can't recall them all, 01:22:17
9 though. 01:22:26
10 Q. Can you recall any of them? 01:22:26
11 A. Yes, Building Leaders of Color training 01:22:31
12 certificate, a completion from NMAC, formerly the 01:22:36
13 National Minority AIDS Coalition, located in DC. I 01:22:41
14 think that's about it that I can think of. 01:22:49
15 Q. Okay. Do you, Ms. Gore, consider yourself an 01:22:51
16 expert on the distinctions, if any, between sex and 01:23:02
17 gender? 01:23:08
18 MS. KADIVAR: Objection to form. 01:23:08
19 MS. SHEW: What's the form problem? I'm 01:23:16
20 just asking her if she considers herself an expert. 01:23:16
21 I'm not challenging her on that. 01:23:19
22 You may answer, Ms. Gore. 01:23:19
23 BY MS. SHEW: 01:23:57
24 Q. Okay. So Ms. Gore, you do not plan to offer 01:23:57
25 expert testimony on that topic in this lawsuit; is 01:24:03

1	that correct?	01:24:06
2	A. Yes, that is correct.	01:24:06
3	Q. Do you -- do you consider yourself to be an	01:24:10
4	expert or plan to offer expert testimony on any of	01:24:15
5	the other issues that you understand are part of this	01:24:19
6	lawsuit?	01:24:23
7	A. I don't understand what the question is. Ask	01:24:23
8	me again.	01:24:30
9	Q. Okay. Well, I'm -- I'm here primarily today	01:24:30
10	to ask you about facts that you know that are within	01:24:34
11	your personal knowledge, things that you know about	01:24:37
12	the facts of this case. But my question before we	01:24:41
13	sort of dive into the facts is, in addition to being	01:24:44
14	able to tell me about the facts of the case as you	01:24:48
15	know them, do you intend by virtue of training,	01:24:51
16	expertise, et cetera, to offer opinions as an expert	01:24:54
17	on any of these -- on any of these topics, things	01:24:57
18	that -- as an expert things that would be not	01:25:02
19	necessarily within your personal knowledge, but	01:25:04
20	things that you would know by virtue of training or	01:25:09
21	experience?	01:25:15
22	A. I'm not sure how to answer that question,	01:25:17
23	because I don't know what the questions you're going	01:25:20
24	to ask me, and I don't know what my expertise would	01:25:22
25	be for those questions until you ask me those	01:25:24

1 questions. Does that make sense?

01:25:27

2 Q. I think your answer makes sense. And maybe
3 my question wasn't very clear, because really all I
4 intend to ask you about are things that are about you
5 and your knowledge. That's all I can -- I'm asking
6 if you know things, because your counsel has
7 experts -- expert witnesses as well, who are going to
8 talk about things that don't pertain to them as
9 persons, but things that they know because of their
10 education, experience and training that they're going
11 to talk about that don't pertain to them as a person.
12 And I'm just asking whether you intend to offer any
13 testimony like that, or if your intended testimony in
14 this case has to do with you as a person, things that
15 you know about you as a person that you know you've
16 experienced or seen or know from your own personal
17 experience.

01:25:29

01:25:31

01:25:32

01:25:36

01:25:40

01:25:43

01:25:47

01:25:50

01:25:55

01:25:58

01:26:00

01:26:04

01:26:07

01:26:09

01:26:13

01:26:17

18 A. Yes, I will be giving expert testimony on
19 myself and my personal experiences related to the
20 case.

01:26:18

01:26:20

01:26:24

21 Q. All right. I think we're on the same page.

01:26:25

22 Thank you. Ms. Gore, are you married?

01:26:28

23 A. No. Single.

01:26:31

24 Q. Have you ever been married?

01:26:34

25 A. No.

01:26:36

1	Q.	Okay. Ms. Gore, you've stated in the	01:26:37
2		pleadings that you've filed in this case, and in the	01:26:51
3		declarations that you filed in this case, that you	01:26:54
4		are a transgender person; correct?	01:26:56
5	A.	Yes, that is correct.	01:27:00
6	Q.	Okay. Do your immediate and/or extended	01:27:01
7		family know that you are a transgender person?	01:27:07
8	A.	Yes, that is correct.	01:27:15
9	Q.	Okay. So -- yeah, she's got it on mute,	01:27:16
10		okay. Sorry. So I'm sorry, they do know that you	01:27:22
11		are a transgender person; correct?	01:27:26
12	A.	Yes.	01:27:30
13	Q.	Okay. How long have they known that?	01:27:30
14	A.	Eight or more years.	01:27:34
15	Q.	Okay. What about your social friends, do	01:27:45
16		your social friends know that you're a transgender	01:27:49
17		person?	01:27:53
18	A.	Yes.	01:27:54
19	Q.	And how long have they known that?	01:27:54
20	A.	Various times.	01:27:57
21	Q.	What would you say is the -- if you go back	01:28:06
22		to the longest point in time that one of your social	01:28:10
23		friends became aware that you were a transgender	01:28:14
24		person, when would that have been?	01:28:19
25	A.	Maybe 2008.	01:28:22

1	Q.	Okay. Do your professional colleagues and	01:28:42
2		contacts know that you are a transgender person?	01:28:50
3	A.	Yes.	01:28:53
4	Q.	Okay. And how long have they known that?	01:28:56
5	A.	Different times. A lot of times I'm not as	01:29:16
6		open initially with people, to retain some of my own	01:29:19
7		privacy.	01:29:23
8	Q.	Do you currently have professional colleagues	01:29:24
9		that do not know that you are a transgender	01:29:29
10		person?	01:29:32
11	A.	I would be speculating, but I am sure there	01:29:33
12		are some people who do not know. I've had some	01:29:45
13		colleagues that I've known for years and they've	01:29:48
14		divulged that when they initially met me they did not	01:29:52
15		know that I was trans until I told them. So I	01:29:57
16		couldn't really give you a definitive answer.	01:30:00
17	Q.	Okay. Are there any persons that you, who	01:30:03
18		you do not want to know or to find out that you are a	01:30:11
19		transgender person?	01:30:14
20	A.	Yes, there are.	01:30:15
21	Q.	Okay. And who are those persons?	01:30:19
22	A.	People who I do not personally know.	01:30:22
23	Q.	So strangers?	01:30:31
24	A.	Yes, strangers. That could be future	01:30:34
25		employers, that could be anybody that I don't	01:30:40

1	currently know.	01:30:45
2	Q. Okay. Have you ever attended public events	01:30:45
3	which acknowledge or celebrate the LBGQ community,	01:31:11
4	Pride Parades, any other kinds of celebrations?	01:31:17
5	A. Yes, ma'am.	01:31:19
6	Q. Okay. What types of -- which one, tell me	01:31:19
7	the ones you can recall.	01:31:23
8	A. I have attended several Memphis Pride, I have	01:31:25
9	attended several equality rallies that were specific	01:31:30
10	to a transgender community here in Memphis. I have	01:31:35
11	attended some regional events and some national	01:31:39
12	events as well.	01:31:44
13	Q. All right. I would like to turn now, to some	01:31:45
14	of the documents that we told your counsel we would	01:31:57
15	be using and asking you about in this case. And the	01:32:02
16	first one I would like to look at is the --	01:32:04
17	A. Your audio was breaking up.	01:32:04
18	Q. I'm sorry. I'll have to pay more attention	01:32:13
19	to where my microphone is.	01:32:18
20	I would like you to look at some of the	01:32:22
21	documents that I think your counsel told us we were	01:32:22
22	going to look at today. The first one I would like	01:32:23
23	to look at is the amended complaint if you've got	01:32:24
24	that where you can refer.	01:32:28
25	A. Yes, I do.	01:32:29

1	Q.	First question I would like to ask you is,	01:32:30
2		did you review this amended complaint before it was	01:32:47
3		filed with the Court?	01:32:49
4	A.	Yes, I did.	01:32:53
5	Q.	Okay. All right. I would like to turn to	01:32:54
6		the portion of the amended complaint that actually	01:33:08
7		deals with your allegations specifically, and that	01:33:10
8		starts at Paragraph 78, numbered paragraph 78 of that	01:33:13
9		amended complaint. If you can find that?	01:33:20
10	A.	Uh-huh.	01:33:28
11	Q.	All right. And just looking below that	01:33:30
12		numbered paragraph 79 it says Ms. Gore wishes to	01:33:36
13		correct her Tennessee birth certificate which	01:33:44
14		currently indicates that her sex is a male, to	01:33:46
15		accurately reflect her sex is female as determined	01:33:49
16		by her gender identity. Do you see that	01:34:00
17		Paragraph 79?	01:34:04
18	A.	Yes, I do.	01:34:04
19	Q.	Is it accurate that you wish to correct your	01:34:04
20		Tennessee birth certificate to refer to your sex as	01:34:06
21		female?	01:34:10
22	A.	That is correct.	01:34:10
23	Q.	Okay. Have you made any attempts to do that?	01:34:12
24	A.	Yes, I have.	01:34:15
25	Q.	All right.	01:34:19

1 A. Not any attempts specifically for my gender 01:34:21
2 marker, because it's currently not allowed by law, 01:34:26
3 but I have made attempts to change my name on my 01:34:30
4 birth certificate. 01:34:34
5 Q. And have you been successful? 01:34:35
6 A. No, I have not. 01:34:41
7 Q. Okay. Tell me -- tell me how you've 01:34:43
8 attempted to change the name on your birth 01:34:47
9 certificate, what steps have you taken? 01:34:50
10 A. The process -- the process here is there is a 01:34:52
11 form that you can get from the local health 01:34:56
12 department, you fill that form out, you accompany 01:34:59
13 that form with a money order for the actual baby 01:35:02
14 birth certificate, you mail that to the Tennessee 01:35:07
15 Department of Records in Nashville, and then they 01:35:09
16 return you your updated birth certificate within 45 01:35:14
17 days. Or you can physically take it to the 01:35:20
18 department of records if you're in the area of 01:35:24
19 Nashville. 01:35:26
20 Q. So have you -- have you completed the form 01:35:26
21 and mailed that to the Office of Vital Records? 01:35:30
22 A. Yes, ma'am, I have. 01:35:35
23 Q. And when did you do that? 01:35:36
24 A. October of last year. 01:35:37
25 Q. Have you -- have you had any communication 01:35:48

1	with that office since you sent that form?	01:35:53
2	A. No, I have not.	01:35:56
3	Q. Have you tried to inquire why you haven't had	01:36:07
4	a response since October?	01:36:10
5	A. No, I haven't.	01:36:12
6	Q. Have you made any other attempts to change	01:36:26
7	any other information on your birth certificate?	01:36:29
8	A. No.	01:36:32
9	Q. All right. Looking at Paragraph 81 of the	01:36:33
10	amended complaint, it has a list of your different	01:36:48
11	community advocacy efforts, and I wanted to go	01:37:00
12	through those with you. It says presently you are	01:37:04
13	the southern regional organizer with TLC@SONG.	01:37:06
14	What -- how long have you been in that position where	01:37:11
15	you're the southern regional -- a southern regional	01:37:14
16	organizer?	01:37:19
17	A. A little over a year.	01:37:21
18	Q. Okay. And what does that actually involve,	01:37:22
19	what do you do as a southern regional organizer for	01:37:31
20	that organization?	01:37:36
21	A. I work regionally in the south with LGBTQ	01:37:36
22	people around the missions and values of the	01:37:43
23	transgender law center and Southerners on	01:37:43
24	New Ground.	01:37:49
25	Q. Okay. What might that -- what does that look	01:37:49

1 like on an everyday basis? I mean do you meet with
2 them, do you point them toward help and services,
3 what -- what -- I mean, what does that actually
4 entail?

5 A. In my role as southern regional organizer, we
6 convene -- southerners convening with queer
7 southerners throughout the south periodically
8 throughout the year, organizing around issues that
9 are specific to their communities.

10 Q. Is it educational, is it support, is it all
11 of the above?

12 A. I would say it's a little bit of all of that.

13 Q. And then it says prior to your work with
14 TLC@SONG you worked as a transgender services
15 specialist at OUTMemphis, a Memphis based community
16 center that provides education, programming and
17 services for LGBTQ people in the Mid South. So what
18 did you do as the transgender services specialist at
19 OUTMemphis?

20 A. Oh, a lot of things.

21 Q. Okay.

22 A. So we are -- well, we still are OUTMemphis is
23 the only LGBTQ center within a 200-mile radius in the
24 Mid South area, so we would serve all of the LGBTQ
25 folks on a gamut of needs, whether that was direct

1 services, if there was community support in different
2 ways, helping different events, depending on the
3 political climate here in Memphis and nationally.

4 Q. So how long were you in that role?

5 A. Three years.

6 Q. Okay. So if I understood you, you said that
7 that was the only -- that was the only such outreach
8 within a 200-mile radius of Memphis?

9 A. That provided the services that we provided
10 specifically for the LGBTQ community.

11 Q. Did you reach outside of the state of
12 Tennessee? I mean because that would encompass east
13 Arkansas, Mississippi, so were you reaching into
14 those neighboring states?

15 A. Yes, Jackson, Tennessee, Jackson -- Jackson,
16 Tennessee. Southaven, Mississippi, Olive Branch.
17 West Tennessee in Arkansas, yeah.

18 Q. Okay. And then finally this paragraph
19 recites that you are one of the founders and the
20 director of My Sistah's House, a nonprofit that
21 provides resources and emergency shelter to
22 transgender and gender nonconforming people in the
23 Memphis area. When did you help found My Sistah's
24 House?

25 A. In 2017.

1	Q.	And are you currently its director?	01:40:58
2	A.	Yes.	01:41:03
3	Q.	Do you get a salary in that role?	01:41:06
4	A.	No. We're completely volunteer.	01:41:19
5	Q.	Okay. Do you -- one of the activities it	01:41:27
6		lists of course is providing emergency shelter. Do	01:41:41
7		you have any sort of work or cooperative arrangement	01:41:46
8		with the Memphis police, the Shelby County Sheriff's	01:41:50
9		Department or anybody like that, do you get referrals	01:41:54
10		from law enforcement?	01:41:57
11	A.	No, we don't. Possibly through like -- yeah,	01:41:58
12		through different channels, yes, but not directly	01:42:07
13		from the Memphis Police Department or the Sheriff's	01:42:12
14		Department, you know.	01:42:14
15	Q.	Where would you -- how would a transgender	01:42:15
16		person or gender nonconforming person who needs some	01:42:20
17		sort of emergency help from you, how would they find	01:42:24
18		you, or how would they know about you, how would they	01:42:28
19		know about My Sistah's House?	01:42:32
20	A.	We have a team of volunteers, maybe upward to	01:42:35
21		25 volunteers who basically disseminate the	01:42:37
22		information throughout the community through other	01:42:42
23		partner organizations that I've like formerly worked	01:42:44
24		for or with, whether as an employee or a volunteer.	01:42:46
25		People just know that this is something that I've	01:42:50

1 been providing. And they can also go to our
2 website.

3 Q. What's that -- what's the website?

4 A. Or social media.

5 Q. Okay.

6 A. Wwww.mshmemphis.org.

7 Q. Okay. Okay. Looking further on the amended
8 complaint at Paragraph 83, it says -- I'm
9 paraphrasing, but since you were a young child,
10 Ms. Gore knew she was a girl, she began showing
11 interest in expressing female gender identity,
12 including by wearing feminine clothes, makeup and
13 high heels. However, at that time, she was
14 discouraged from expressing her female gender
15 identity and ceased expressing herself in that way.
16 By who were you discouraged?

17 A. I was discouraged by family members,
18 by -- yeah, mostly was at that time it was just
19 family.

20 Q. Okay. And then Paragraph 84, "By her early
21 twenties, Ms. Gore began expressing her female gender
22 identity again and soon after, began identifying as
23 female. By 2012, Ms. Gore was living openly as the
24 woman that she is." When you were in your early 20's
25 and began expressing your female gender identity, how

01:42:53

01:42:59

01:43:00

01:43:03

01:43:04

01:43:09

01:43:09

01:43:20

01:43:28

01:43:32

01:43:55

01:44:01

01:44:06

01:44:07

01:44:15

01:44:17

01:44:20

01:44:24

01:44:30

1 did you do that, was that -- well, I will just let 01:44:36
2 you, I won't speculate. How did you begin expressing 01:44:39
3 your female gender identity again? 01:44:43

4 A. Well, I was grown and I had my own 01:44:46
5 employment, so I would -- I started experimenting 01:44:55
6 with the more feminine expressions in the clothes 01:44:58
7 that I wore, the shoes that I wore, the jewelry that 01:45:01
8 I wore, just my outward appearance became to be more 01:45:05
9 feminine presenting time. 01:45:15

10 Q. Okay. Okay. Paragraph 85, "Since beginning 01:45:17
11 to live openly as a woman, Ms. Gore has taken steps 01:45:17
12 to bring all aspects of her life into conformity with 01:45:36
13 her female gender identity, including steps to 01:45:40
14 socially and medically transition." And I want to 01:45:42
15 preface my next question by saying that in the 01:45:50
16 context of your deposition I don't -- I'm not going 01:45:56
17 to pry deeply into personal information, because 01:46:01
18 frankly I don't think it's pertinent, but I do want 01:46:09
19 to ask this one question. 01:46:12

20 And I may ask a couple of more, but again 01:46:15
21 I just want to before we -- before we have to start a 01:46:18
22 line of objections that may not be necessary, I just 01:46:21
23 want to say I'm not going to pry deeply into 01:46:25
24 anybody's personal information here. But 01:46:27
25 paragraph -- I'll just tell you and you can look for 01:46:29

1 yourself, but at Paragraph 37 in the amended
2 complaint it states that the steps a transgender
3 person could take to transition, as well as to treat
4 their gender dysphoria vary, but the steps generally
5 include one or more of the following: And these
6 three steps are described the same in many of the
7 documents in this case. One is social transition;
8 two is hormone therapy; three is gender-confirming
9 surgery as the -- as the possible steps that one
10 might elect to take. And my question to you is which
11 of those three steps, any or all, have you taken in
12 order to bring the aspects of your life into
13 conformity with your gender identify.

14 A. Okay. Can you give me a moment to review
15 37?

16 Q. You bet, as much time as you need.

17 A. I have all three of these. As I stated in my
18 previous answer to the previous questions, the
19 beginning stages was the social transition, which was
20 my gender expression outwardly. And then from there
21 on, I went through the hormone replacement therapy
22 and then I've had gender conforming, confirming
23 surgery.

24 Q. Okay. Looking down at Paragraph 89 it says
25 that you have corrected your name and gender marker

1 to be consistent with your female gender identity in 01:48:26
2 all identity documents except your birth certificate, 01:48:29
3 and that includes your Tennessee state 01:48:33
4 identification, your Tennessee voter registration 01:48:33
5 card, and your Social Security records, do you see 01:48:41
6 that? 01:48:44

7 A. Yes. 01:48:44

8 Q. Are there any other documents where you have 01:48:46
9 changed the gender marker? And I will just -- I 01:48:49
10 should have said this earlier, but I'm going to use 01:48:54
11 the term "gender marker" because it's used in your 01:48:56
12 complaint and I think it's a term that I perceive 01:48:58
13 that you are comfortable using. I'm not conceding 01:49:02
14 that it has a particular term of art, but I'm using 01:49:06
15 it as it's used in your amended complaint. So do you 01:49:09
16 have a Tennessee driver's license? 01:49:12

17 A. I have a state ID. 01:49:14

18 Q. Okay. But no driver's license? 01:49:20

19 A. Correct. 01:49:22

20 Q. Correct. Okay. Do you have a passport? 01:49:23

21 A. No. 01:49:27

22 Q. Okay. Are there any other documents you can 01:49:29
23 recall where you have changed the gender marker 01:49:38
24 besides your Tennessee state identification card, 01:49:42
25 your Tennessee voter registration card and your 01:49:46

1 Social Security records? Like if you have licenses,
2 certificates, and they may not even have a field for
3 sex or gender, I realize that, but can you think of
4 any, are there any other documents where there is a
5 field that says either sex or gender on it and you
6 have changed that?

7 A. My health insurance card has a gender marker
8 on it and I changed that to female.

9 Q. Okay.

10 A. Yes, I think that's --

11 Q. Any others that you can recall?

12 A. Oh, I have -- I have a [REDACTED] card, it
13 identifies me as female.

14 Q. You have -- I'm sorry, what kind of card?

15 A. [REDACTED], it's like a supplementary health
16 insurance card.

17 Q. Okay. At Paragraph 91 it says, "As a result
18 of the birth certificate policy, the sex designation
19 on Ms. Gore's birth certificate still incorrectly
20 identifies her as male."

21 I'm going to ask you two questions about
22 that Paragraph 91. First what -- what does it mean
23 to you to refer to Tennessee's birth certificate
24 policy?

25 MS. KADIVAR: Object to the form.

1	BY MS. SHEW:	01:51:53
2	Q. You're permitted to answer if you can	01:51:56
3	answer.	01:51:58
4	A. I don't necessarily understand what -- yeah,	01:52:00
5	I don't understand the question.	01:52:06
6	Q. Okay. Well, in Paragraph 91 if you see it	01:52:08
7	says as a result of the birth certificate policy,	01:52:15
8	you're incorrectly identified as a male, and there	01:52:16
9	are places, other places and we can get to those a	01:52:20
10	little bit later that refers to Tennessee's, and the	01:52:25
11	words used are "birth certificate policy", and I'm	01:52:27
12	just asking you, what does that term mean to you,	01:52:31
13	what is Tennessee's birth certificate policy as you	01:52:34
14	understand it that is resulting in your sex	01:52:36
15	designation being incorrect?	01:52:42
16	A. It doesn't allow for me to change --	01:52:49
17	MS. KADIVAR: Objection.	01:52:50
18	THE WITNESS: Sorry.	01:52:53
19	MS. KADIVAR: No, go ahead, Kayla.	01:52:54
20	THE WITNESS: It doesn't allow for me to	01:52:54
21	change my gender marker or anyone for that matter if	01:52:57
22	there was a mistake when it was -- when the document	01:53:00
23	was created at the time of my birth.	01:53:06
24	BY MS. SHEW:	01:53:10
25	Q. Okay. And then again in Paragraph 91 it says	01:53:11

1 the sex designation on your birth certificate still 01:53:25
2 incorrectly identifies you as a male, and we've 01:53:28
3 discussed that's actually pled earlier in this 01:53:32
4 amended complaint that your birth certificate states 01:53:34
5 that you are male. Do you know -- do you know why 01:53:38
6 you -- your birth certificate designated that you 01:53:41
7 were male at the time that it was completed? 01:53:46

8 MS. KADIVAR: Objection to form. 01:53:50

9 THE WITNESS: No, I'm not sure. 01:53:54

10 BY MS. SHEW: 01:53:57

11 Q. Okay. Do you -- do you have any reason to 01:53:57
12 believe it was anything other than the appearance of 01:53:59
13 external -- of your external genitalia at the time 01:54:05
14 you were born? 01:54:05

15 A. No, ma'am. 01:54:09

16 Q. Do you believe that -- is it any reason other 01:54:14
17 than that? 01:54:15

18 MS. KADIVAR: Same objection. 01:54:16

19 THE WITNESS: Could you read back the 01:54:24
20 question? 01:54:26

21 BY MS. SHEW: 01:54:28

22 Q. Sure. Do you have any reason to believe that 01:54:30
23 your sex designation on your birth certificate at the 01:54:33
24 time you were born was listed as male for any reason 01:54:38
25 other than you had male appearing external genitalia 01:54:42

1	at the time of birth?	01:54:48
2	MS. KADIVAR: Objection to form. You can	01:54:51
3	answer, Kayla.	01:54:57
4	THE WITNESS: I think that could be a	01:54:57
5	reason. They didn't look at my gender identity, they	01:55:00
6	only looked at the physical appearance of my body at	01:55:05
7	the time of my birth.	01:55:09
8	BY MS. SHEW:	01:55:11
9	Q. All right. Paragraph 92, it says that	01:55:13
10	Ms. Gore reasonably fears that possessing a birth	01:55:17
11	certificate that fails to reflect her female gender	01:55:21
12	identity increases the likelihood that she will be	01:55:25
13	subjected to invasions of privacy, prejudice,	01:55:28
14	discrimination, distress, harassment, or violence.	01:55:28
15	Tell me -- tell me why you fear that those things	01:55:33
16	will happen.	01:55:36
17	A. I feel that things will happen because of the	01:55:36
18	work that I do in my advocacy, that the stats prove	01:55:43
19	that people who look and identify as I do as a black	01:55:50
20	transgender woman have a likelihood of only surviving	01:55:53
21	to 35, or not surpassing the age of 35. And I	01:55:59
22	believe that not having a birth certificate prevents	01:56:04
23	me from obtaining a job or going to school without	01:56:07
24	the fear of discrimination because someone who	01:56:11
25	otherwise wouldn't know that I'm transgender knows	01:56:16

1 that I'm transgender because my birth certificate
2 says so.

3 Q. What are the -- you just gave us an
4 interesting statistic, that from your work and your
5 experience as an advocate, the statistics show the
6 black transgender woman has some risk of not living
7 beyond age 35, did I understand that correctly?

8 A. That is correct.

9 Q. Is it different for white transgender women?

10 A. Yes, it's very different.

11 Q. What is the statistic for white transgender
12 women?

13 A. I don't believe that there's any data related
14 specifically to violence to trans women who are not
15 of color. And I'm not an expert to give that
16 specific data, but I do know about data that
17 specifically refers to me and my likelihood of making
18 it two more years.

19 Q. And that is due to, you're saying that that
20 very shortened life expectancy is due to violence
21 perpetrated against black transgender women?

22 MS. KADIVAR: Objection form.

23 THE WITNESS: Can you --

24 BY MS. SHEW:

25 Q. Well, I'm asking -- but as I understand it,

1 what the abbreviated life expectancy, age 35 is a 01:57:53
2 very abbreviated life expectancy for black 01:57:58
3 transgender women is a result of violence perpetrated 01:58:01
4 against black transgender women? I mean it's not, 01:58:05
5 there's not -- it's not a disease study, it's 01:58:08
6 not -- I mean, is it violence, is that the reason? 01:58:09

7 A. Yes. It's -- it's violence, but it is also 01:58:12
8 rooted in a lot of other things that lead up to the 01:58:17
9 violence. As I stated before, like not having proper 01:58:20
10 documentation so that I can navigate through life 01:58:24
11 safely and have like equitable access to everything 01:58:37
12 else that everyone else has without the fear of 01:58:37
13 discrimination puts black transgender women in 01:58:38
14 situations where they are subject to violence. 01:58:44

15 Q. Do you -- have you ever personally been 01:58:46
16 threatened with death or subject to violence because 01:58:51
17 you didn't have a birth certificate with where the 01:58:56
18 sex matched your current, your other current 01:59:02
19 documents or matched your current appearance to the 01:59:03
20 world, has that ever happened to you, have you ever 01:59:07
21 been threatened with violence or been a victim of 01:59:11
22 violence because of that? 01:59:14

23 MS. KADIVAR: Sorry -- object to any 01:59:16
24 disputed terms like "sex" is calling for expert 01:59:18
25 testimony. If we could just stipulate to having that 01:59:21

1 objection, then I don't have to -- because I object
2 to those words and any other disputed term, I
3 don't want to have to keep interrupting the
4 record.

5 MS. SHEW: No, I think that's fine. And
6 again, I'm trying to use terminology as I read it in
7 the amended complaint. And I have the same -- none
8 of us are stipulating to anybody else's terms of art,
9 shall we say that? And so --

10 MS. KADIVAR: Okay. That would be great.

11 MS. SHEW: And if I -- if I do want to
12 ask a technical question I'll be sure, but she's
13 already said she's not an expert, so I think we're
14 just moving on, okay? So --

15 THE WITNESS: Okay.

16 BY MS. SHEW:

17 Q. So Ms. Gore, my question was have you ever
18 been threatened with violence or been a victim of
19 violence because the sex field on your birth
20 certificate which says male either doesn't match
21 another document that you have, or it doesn't match
22 your current appearance and identity as a transgender
23 woman?

24 A. Yes.

25 Q. Okay. Tell me -- tell me when that has

1 happened.

2 A. When I started living my life daily as a
3 woman openly throughout, trying to apply for jobs, I
4 was denied because I was transgender. A lot of
5 people did not want to hire me, so it left me in
6 situations where I was doing things that would put me
7 in danger of violence, and I experienced a lot of
8 violence through those times where I couldn't find
9 employment because I was transgender because I didn't
10 have all of the documents I needed to -- to basically
11 assimilate.

12 Q. And what jobs were you denied because of
13 that?

14 A. Mostly like fast food restaurant jobs. I was
15 trying to find jobs mainly that were like family
16 owned companies or private companies, because I had
17 seen that when you're working for people who own
18 their own businesses, they tend to pay you more and
19 the benefits are a little better versus bigger
20 corporations. So a lot of those private, privately
21 owned companies or businesses would not hire me.

22 Q. Okay. Do you remember the name of any
23 business or company that did not hire you because you
24 were transgender?

25 A. I can't recall.

1 Q. Do you know that that's -- how do you know or
2 why do you believe that they did not hire you because
3 you were transgender?

4 A. Some of those jobs offered telephone
5 interview as the first interview. And during those
6 conversations, at the end of those conversations I
7 felt really good about the interviews. And I had
8 been told before that I'm a great interviewer, that
9 was one of my jobs for five years was interviewing.
10 So once I got to the in-person meetings with these
11 potential employers, I felt temperature changes, and
12 I would not get called back. Whether it was you have
13 the job or you don't have the job, I would not get
14 called back.

15 Some of those jobs I applied with
16 friends, and some of my female friends would get
17 called back because some of these places were
18 restaurants. Some of my friends would get called
19 back, even if they didn't get the job, they would get
20 called back for -- particularly for the restaurant
21 jobs to verify their ABC licensure, license is up to
22 date, I wouldn't get those courtesy calls back, when
23 we both applied for the same companies, but these
24 people identify as cisgender, whereas I was
25 transgender.

1	Q.	Did your -- did your friends in that context,	02:03:43
2		you said they were getting ABC licenses verified?	02:03:54
3	A.	They would get -- and this is normally	02:04:00
4		routine in the process of getting a job at a place	02:04:03
5		that sells alcohol. You'll do an application, you	02:04:09
6		may do an interview, after that interview they'll	02:04:13
7		check your references. And then once they've checked	02:04:16
8		your references, that the references check out, they	02:04:20
9		do the extra work of calling you to say, hey, do you	02:04:23
10		have your ABC license, if you don't, these are the	02:04:26
11		steps you need to take to get them, you can't start	02:04:28
12		until you have it. And then soon after that you get	02:04:31
13		an offer whether you obtain your ABC license or you	02:04:33
14		already have it. And I wouldn't get those follow-up	02:04:39
15		calls.	02:04:40
16	Q.	Have you ever had an ABC license?	02:04:40
17	A.	Yes.	02:04:43
18	Q.	When was that?	02:04:44
19	A.	I can't remember. It was a long time ago.	02:04:50
20	Q.	Okay. But you can't recall the name -- can	02:04:54
21		you recall the name of any employer or potential	02:04:58
22		employer who either declined to hire you, or	02:05:02
23		terminated you because you were -- are transgender	02:05:06
24		other than what you've described for me so far?	02:05:11
25	A.	I can't off of the top of my head.	02:05:14

1 Q. Well, I mean today is my only chance I have 02:05:31
2 to ask you, so if at some point you remember, I would 02:05:34
3 ask you to pass that information along to your 02:05:38
4 counsel, please. 02:05:40

5 Then you said because you were denied 02:05:42
6 jobs, you were doing things that put you in danger of 02:05:44
7 violence, what were those things? 02:05:49

8 A. [REDACTED]. 02:05:51

9 Q. [REDACTED] 02:06:06

10 [REDACTED]. 02:06:10

11 A. [REDACTED] 02:06:12

12 [REDACTED]. 02:06:21

13 Q. Okay. 02:06:23

14 MS. KADIVAR: I'm sorry, can we designate 02:06:28
15 this line of questioning as attorneys' eyes only and 02:06:29
16 confidential? 02:06:34

17 MS. SHEW: Definitely needs to be 02:06:34
18 confidential, I'm kind of thinking through the 02:06:36
19 attorneys' eyes only. Because there's -- I don't 02:06:50
20 know if there's any -- our clients are the 02:06:52
21 Department of Health -- well, the Commissioner of the 02:06:55
22 Department of Health and the Governor. I know I 02:06:59
23 guess what I'm saying is we don't have any 02:07:03

24 [REDACTED] in this, nor would we in this 02:07:05
25 context at all. But I don't have any -- I don't have 02:07:09

any question about designating it as confidential.

Let's talk about the attorneys' eyes only. I mean, I'll consider that, and I understand what your concerns are. But let's -- and I'm not going a whole lot further with it for what that's worth. We already have -- we already have some information about this in the discovery responses.

BY MS. SHEW:

Q. [REDACTED]

A. [REDACTED].

Q. [REDACTED]

A. [REDACTED]

Q. Okay. Do you recall what employment it was that you obtained that made you able to get stable housing and --

A. Yes, it was a restaurant on Union Avenue. At that time it was called E's Cafe.

Q. I'm sorry, how do you spell that, do you know?

A. E, apostrophe S, Cafe.

1 Q. [REDACTED] 02:09:20
2 [REDACTED] 02:09:26
3 A. [REDACTED] 02:09:29
4 Q. Was it -- 02:09:31
5 MS. KADIVAR: Sorry to interrupt. We 02:09:31
6 designated this as attorneys' eyes only in the raw 02:09:34
7 responses, and so I just want to make sure that we're 02:09:37
8 doing the same thing here. If you want to discuss it 02:09:38
9 off line, I'm happy to, but -- 02:09:39
10 MS. SHEW: No, that's fine. That's fine. 02:09:41
11 BY MS. SHEW: 02:09:41
12 Q. [REDACTED] 02:09:45
13 A. [REDACTED] 02:09:57
14 Q. [REDACTED] 02:09:57
15 A. [REDACTED] 02:09:59
16 Q. Okay. Looking at Paragraph 93 of the amended 02:10:07
17 complaint, and we may have -- we may have covered 02:10:35
18 this, but I want to ask anyway. It says, "Ms. Gore 02:10:48
19 has experienced firsthand the discrimination and 02:10:51
20 hostility that many transgender people experience 02:10:55
21 when presenting identification that conflicts with 02:10:56
22 their gender identity." 02:11:00
23 Besides what you've already described, 02:11:02
24 what other instances have you experienced 02:11:04
25 discrimination and/or hostility because you were 02:11:07

1 presenting identification that conflicted with your 02:11:11
2 gender identity? 02:11:15

3 A. Can you be more specific? Are you referring 02:11:16
4 to like work or personal life or? 02:11:27

5 Q. Well, really anything. I mean 93 goes on to 02:11:32
6 say for example you've had -- let's just pick this 02:11:35
7 apart. "Ms. Gore has had to present her birth 02:11:38
8 certificate in the context of securing employment. 02:11:41
9 Because the birth certificate inaccurately states 02:11:47
10 that she is male, providing this document has led 02:11:51
11 directly to Ms. Gore being "outed" as a transgender, 02:11:54
12 and being subjected to awkward, deeply personal, and 02:11:56
13 invasive questions by prospective employers." 02:12:01

14 So let's just start with employers. What 02:12:04
15 employers have required you to present a birth 02:12:08
16 certificate, or potential employers? 02:12:12

17 A. One particular -- one particular employer was 02:12:17
18 Silky O'Sullivan's, which is a bar and grill located 02:12:25
19 in Memphis, Tennessee. I was asked to present my 02:12:30
20 birth certificate. This was after the -- after the 02:12:33
21 interview where I was offered the job. And there 02:12:36
22 were people present who worked there that I had 02:12:43
23 previously worked with who knew of my transgender 02:12:47
24 status which I felt -- which I felt caused the hiring 02:12:52
25 manager to ask me for my birth certificate to verify 02:13:05

1 what people had told him.

02:13:06

2 They didn't deny me the job, but I felt -- I
3 felt like all of my information had been told to the
4 entire staff without my knowledge because most of
5 them --

02:13:10

02:13:13

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02:13:22

6 THE REPORTER: One moment, this is the
7 court reporter. Can you hear me?

8 (Off record.)

9 BY MS. SHEW:

10 Q. All right. So Ms. Gore, we're going reflow a
11 little ground here. So I think you heard the court
12 reporter say where her transcript leaves off.

13 You, as I understand it, there were, you
14 believe -- you had worked at Silky O'Sullivan's
15 before, there were people who knew of your
16 transgender status, and you believe they told the
17 manager to ask for your birth certificate; is that
18 correct?

02:20:27

02:20:27

02:20:41

02:20:43

02:20:45

02:20:49

19 A. No, I had worked with people at a different
20 job prior to that, who are currently working there,
21 and I felt like I was outed by that employee. At the
22 previous job I was their supervisor, they didn't
23 really like me, and I wasn't speculating because I
24 got to know some of the people who were in that group
25 the day I got hired, and they divulged that a

02:20:49

02:20:53

02:20:58

02:21:05

02:21:07

02:21:11

02:21:14

1	conversation that was had that I was transgender.	02:21:21
2	Q. Okay.	02:21:23
3	A. And that that employee told people, they	02:21:24
4	talked, but they didn't necessarily say that the	02:21:30
5	manager was told to ask for my birth certificate.	02:21:33
6	But I think that was the result of them outing me.	02:21:36
7	And that was the way for him to confirm.	02:21:43
8	Q. Okay. Where did you -- where did you work	02:21:49
9	with that person prior?	02:22:03
10	A. FedExForum.	02:22:05
11	Q. We'll go through that.	02:22:14
12	A. Okay.	02:22:15
13	Q. Go ahead.	02:22:16
14	A. I was just going to say that it was at the	02:22:19
15	FedExForum, but I worked for a private restaurant,	02:22:25
16	privately owned restaurant, a family-owned restaurant	02:22:28
17	inside of the FedExForum.	02:22:33
18	Q. Okay. What was that restaurant?	02:22:35
19	A. Rendezvous.	02:22:44
20	Q. All right. Any other -- any other employers	02:22:47
21	that have required you, or even asked you to give a	02:22:54
22	birth certificate?	02:23:01
23	A. Yes. The FedExForum required it for security	02:23:02
24	reasons. I wasn't employed by them, but for security	02:23:18
25	reasons I have to, required that and my Social to be	02:23:26

1 able to access the event arena.

02:23:31

2 Q. Okay. Did that, did that cause any problems
3 for you, the presenting it to the FedExForum?

02:23:35

02:23:38

4 A. I can't necessarily say that it was related
5 to my birth certificate, so I can't say that the
6 problems that I did have were directly related to me
7 having to submit that document. But most of my
8 problems were around my gender identity.

02:23:42

02:23:59

02:24:02

02:24:07

02:24:11

9 Q. What problems were those?

02:24:14

10 A. I was a supervisor for Rendezvous for one of
11 their fans, which meant I would have to handle their
12 money. And the people in the money room would give
13 me problems and they would communicate over a
14 speaker, very loud speaker through thick glass. And
15 on several occasions as I would walk out of the cash
16 room where they didn't think I could audibly hear
17 them, I could hear them misgendering me if maybe one
18 time I left something in the money room and they
19 would say can you get "him, he" left something. And
20 these people -- I think these folks would have access
21 to that information because that was like a part of
22 the security, part of how that was needed for me to
23 have to submit those two documents, security to get
24 into the building, as well as I was handling the
25 money for one of the fans.

02:24:17

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02:24:46

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02:24:52

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02:25:00

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02:25:23

02:25:27

02:25:30

1 Q. So you believe the FedExForum would have
2 given those employees your birth certificate or
3 Social Security information?

4 A. Those employees were -- were supervisors,
5 they were basically supervisors of that operation.

6 Q. But you believe the FedExForum would have
7 given them your birth certificate and/or Social
8 Security information?

9 A. I can't necessarily say yes or no, because I
10 don't know. But I do know that questions I asked
11 about why these things were requirement -- required
12 for a company that I didn't necessarily work for,
13 these are questions I asked my supervisors at
14 Rendezvous, and they explained to me why these
15 documents were required. And one of those was for
16 the security of the arena because they hold -- they
17 hold sporting events at the FedExForum here with very
18 high profile people that they want to protect. And
19 it's just like a security thing ever since -- I guess
20 they would relate it back to 9/11.

21 And then also because I was a supervisor
22 and I would be responsible for anywhere from five to
23 fifteen thousand dollars an event, I had to have
24 those documents. And that the people in the money
25 room would have copies of my identification with my

1 photo on it, my birth certificate and my Social on
2 bio to verify I was the person who was supposed to
3 pick up and drop off money.

4 Q. And you believe those people actually had
5 copies of your birth certificate and your Social
6 Security documents?

7 A. That's how it was explained to me, that there
8 will be copies for the security people and for the
9 money-handling people. And it was explained to a
10 group of employees, and these were the questions that
11 I had aside from the group.

12 Q. Okay. Let me -- we may have to go mute here
13 in a minute. So any other employers who either
14 requested or required you to give a copy of your
15 birth certificate?

16 A. I can't recall.

17 Q. Okay. No --

18 A. I can't recall.

19 Q. Okay. Let's see. At Paragraph 93 it also
20 said that you were subjected to awkward, deeply
21 personal and invasive questions by prospective
22 employers. What types of awkward, deeply personal
23 and/or invasive questions do you recall?

24 A. Questions about surgery, about the process of
25 transitioning, about my sexuality, and that's it.

1 Q. You had employers actually ask you these 02:30:16
2 questions? 02:30:19
3 A. Not necessarily like the higher-up managers, 02:30:20
4 but my immediate supervisors. And these would be 02:30:25
5 things that would like come up in conversations that 02:30:28
6 people felt for some reason were appropriate to 02:30:32
7 ask. 02:30:38
8 Q. Who -- who would ask you these questions? 02:30:38
9 I'm not clear on who was asking the questions. 02:30:43
10 A. Like immediate supervisors, in a 02:30:46
11 conversational way. 02:30:55
12 Q. Did you ever feel like you didn't -- you 02:31:18
13 didn't get a job because you wouldn't participate in 02:31:23
14 those kinds of conversations? 02:31:28
15 A. It was never during like a hiring process. 02:31:35
16 It would be after I had obtained the job, and these 02:31:40
17 would be general conversations. I have felt 02:31:43
18 uncomfortable in those work environments after, 02:31:46
19 feeling like I was obligated to answer those 02:31:50
20 questions, and that it -- that it was tied to my 02:31:53
21 employment at those places. 02:31:57
22 Q. Did you ever complain to a supervisor or 02:31:59
23 somebody in human resources department about that? 02:32:03
24 A. Yes. 02:32:05
25 Q. When -- when was that, describe that for 02:32:06

1 me.

02:32:10

2 A. That was when I was working at Silky
3 O'Sullivan's, I had been there a little over a year
4 and I was having some issues with some of my male
5 coworkers basically jonesing me. And I spoke to my
6 supervisor about it, the same supervisor who asked
7 for my birth certificate when I got the job, and he
8 basically sided with the guys and was like, "I don't
9 see what the problem is, this is what happens, you
10 know, when you work at a bar and grill. You know,
11 this is just the atmosphere." Kind of a if you
12 can't stand the heat, get out of the kitchen type of
13 thing.

02:32:10

02:32:23

02:32:25

02:32:27

02:32:35

02:32:43

02:32:45

02:32:51

02:32:56

02:33:00

02:33:06

02:33:11

14 Q. Are there any other occasions when you
15 complained to a supervisor or a human resources
16 person, whether at that job or at any other job?

02:33:11

02:33:15

02:33:18

17 A. No.

02:33:29

18 Q. Okay. Okay. Any other employers that
19 either -- have we covered every employer that's
20 requested or required that you present a birth
21 certificate?

02:33:30

02:33:33

02:33:36

02:33:40

22 A. That's it.

02:33:48

23 Q. Is there any place that you simply decided
24 not to apply because you didn't want to present a
25 birth certificate?

02:33:48

02:33:52

02:33:56

1 A. Yes. That was really tied to my strategy in 02:33:59
2 obtaining a job was trying to find people who owned 02:34:10
3 their own businesses. Because in addition to them 02:34:14
4 paying more, and more benefits, they were more 02:34:18
5 relaxed on documentation, and they would really only 02:34:23
6 require maybe a Social and identification, or just 02:34:31
7 identification. 02:34:38

8 Q. Okay. So you -- you had a strategy of 02:34:39
9 applying at smaller companies or family owned 02:34:43
10 companies I think you told us that; right? 02:34:46

11 A. Yes, ma'am. 02:34:49

12 Q. Okay. Was there any -- any place that you 02:34:50
13 can recall that you just thought that would be a good 02:34:58
14 place to work, I would like to work there but I'm 02:35:07
15 just not even going to apply because they're going to 02:35:11
16 ask for my birth certificate or they'll make me give 02:35:15
17 them my birth certificate? 02:35:17

18 A. Yes, there were places like that. 02:35:19

19 Q. Okay. What places? 02:35:21

20 A. Walgreens, Kroger, there were some different 02:35:22
21 warehouses that I didn't apply to, like UPS. 02:36:07
22 LeBonheur was a job that I didn't apply to. 02:36:17

23 Q. What job were you applying for at -- or you 02:36:21
24 didn't apply for but you wanted to apply for but 02:36:26
25 didn't at LeBonheur? 02:36:29

1 A. There was a -- they named it like an
2 internship, it was a type of internship with one of
3 their community advocacy programs.

4 Q. Okay. Any other employers? We have
5 Walgreens, Kroger, UPS, LeBonheur, any others?

6 A. The FedExForum, there were some jobs that
7 just in conversation of working there and talking
8 with some of the actual FedExForum employees, that I
9 just didn't want to apply for because I felt like the
10 whole building would have my information at that
11 point.

12 Q. Okay. Any others that you just didn't apply?

13 A. No.

14 Q. Okay. At Paragraph 94 of the amended
15 complaint it says "Ms. Gore is personally aware of
16 the high incidence of violence and harassment
17 directed at transgender persons as well as the high
18 rates of employment and housing discrimination faced
19 by transgender people, particularly transgender women
20 of color like herself, in Tennessee."

21 You've described several -- several or
22 maybe all of these items. My question is, is any
23 other, it says you are personally aware, violence,
24 harassment, employment and housing discrimination.
25 Anything else that is within your personal knowledge,

1 it doesn't have to be about you, but which is within
2 your personal knowledge that you haven't described
3 for us yet?

4 A. Are you -- are you asking like a third person
5 account that has been told to me like in my role as
6 an advocate here in Memphis, or people's personal
7 discrimination or incidents of violence related to
8 not having proper identification?

9 Q. Yeah, I'm just reading Number 94. It says
10 you're "personally aware of the high incidence of
11 violence and harassment directed at transgender
12 persons as well as the high rates of employment and
13 housing discrimination faced by transgender people,
14 particularly transgender women of color like herself,
15 in Tennessee."

16 And I'm just asking you to describe
17 what is within your personal awareness, what are
18 the -- what is this paragraph talking about, what is
19 the high incidence of violence, harassment,
20 employment and housing discrimination?

21 A. Well, I'm not an expert, but from the work I
22 do and how it's connected to a lot of different
23 organizations, there are -- there have been studies
24 that have been done around the racial violence among
25 LGBTQ people because some of them are specific as to

1 breaking down to gender and race, which identifies
2 me, a transgender woman who is black. And as I said
3 before, our life expectancy is 35 for black
4 transgender women.

5 Q. Okay. But besides --

6 A. And the incidents of violence, they have
7 increased yearly.

8 Q. All right. Have you ever been the victim of
9 violence or threatened violence because of your
10 status as a transgender woman and/or a transgender
11 woman of color?

12 A. Yes.

13 Q. Okay. Tell me about that.

14 A. There are several. Like do you want to know
15 all of them or is there a specific number of them
16 that you're looking for? There are a lot.

17 Q. No. It's as I say, I'm trying to -- all I'm
18 trying to do is look behind the facts that are
19 written in this complaint, it says high incidence of
20 violence, and I'm asking, my question is whether you
21 yourself have been the victim of violence or
22 threatened violence. So I guess every -- I need to
23 know everything you know.

24 A. Okay. So I would -- the first one that comes
25 to my mind is being robbed on several different

occasions [REDACTED]

[REDACTED]. I lived in Midtown for about five or six years during the early stages of my transition and that's supposed to be like this place where LGBTQ folks can call home here in Memphis, but for black trans women, we get discriminated against and we get harassed not only by other citizens, but also by police officers who patrol that particular area who do not want us in the area due to gentrification reasons, high rates of violence and drug use in that particular area, and them associating it with all black trans women who are in the area, which is not true.

I had to move out of that area because of the increased police harassment just because I'm walking down the street. Or when I worked at the FedExForum, catching a trolley home at 10:00 at night in a uniform, a work uniform, and still being harassed by police, being accused of [REDACTED] [REDACTED] doing something illegal when I'm simply walking home. As I said before, I don't have a driver's license, so I didn't have any other means of transportation, and I would say this to the officers.

I -- the most recent act of violence

1 towards me was maybe four years, five years ago I was 02:43:26
2 stabbed five times in my left shoulder. Both of my 02:43:32
3 hands were split open by a butcher knife. I was 02:43:39
4 threatened to be killed. And this was all in one 02:43:45
5 incident. The guy who committed the crime against 02:43:55
6 me, he thought he had killed me, so he called the 02:44:00
7 police and basically said I think I killed 02:44:04
8 someone. 02:44:09

9 The State prosecutor would not prosecute 02:44:11
10 the crime against me because this was during a time 02:44:16
11 when [REDACTED] so the 02:44:21
12 district attorney would not prosecute the guy who had 02:44:28
13 admitted to stabbing me and taking my phone and my 02:44:32
14 purse. So that was an incidence of violence and 02:44:36
15 discrimination because I was black and tran, that 02:44:42
16 they did not want to prosecute a veteran who was 02:44:44
17 suffering from mental health illnesses and was not on 02:44:50
18 his medication is what was told to me by the 02:44:55
19 investigating detective with Memphis Police 02:44:58
20 Department. 02:45:04

21 I have been sexually assaulted, and the 02:45:07
22 response from the police was not -- something that I 02:45:10
23 have grown to know what the processes is for a person 02:45:16
24 who is claiming they've been sexually assaulted. 02:45:20
25 There was never a rape kit done on me, I never got 02:45:24

1 connected to any type of advocacy resources related 02:45:29
2 to that incidence where I was sexually assaulted. It 02:45:32
3 wasn't taken seriously. I was asked questions like 02:45:37
4 did I want it, [REDACTED]. It 02:45:41
5 was very -- it lacked a lot of just the sympathy that 02:45:45
6 I think that situation warranted. 02:45:52

7 And I also feel like that was an act of 02:45:54
8 violence and discrimination, which is really very 02:45:58
9 common for trans people of color, very much so for 02:46:01
10 black trans women, but for trans people of color in 02:46:04
11 general, especially in the south for us to go through 02:46:07
12 incidences of violence and then be faced with 02:46:12
13 discrimination on the side where we're supposed to be 02:46:15
14 getting help and resources. 02:46:19

15 Q. This incident you described four or five 02:46:25
16 years ago you were stabbed, your hands were cut, the 02:46:26
17 perpetrator thought that he had killed you and called 02:46:29
18 the police, you're describing all one investigator 02:46:31
19 said this was a veteran who didn't take his meds, 02:46:36
20 and we're not going to prosecute, this is one 02:46:39
21 incident? 02:46:42

22 A. Uh-huh. 02:46:42

23 Q. Okay. I just wanted to make sure. 02:46:43

24 A. Yes, is it. 02:46:46

25 // 02:46:46

1 MS. KADIVAR: Is it okay if we just -- I 02:46:46
2 mean, I'm happy to take it off the record, but can 02:46:49
3 we just stipulate that this stuff is attorneys' 02:46:51
4 eyes only and confidential as it relates to [REDACTED] 02:46:52
5 [REDACTED]? 02:46:58
6 MS. SHEW: Sure. I really don't have any 02:47:00
7 problem with that. 02:47:03
8 BY MS. SHEW: 02:47:03
9 Q. Let me go back through a couple of things. 02:47:09
10 Do you know the name of the person who perpetrated 02:47:12
11 this crime against you, Ms. Gore? 02:47:16
12 A. I can't remember. 02:47:19
13 Q. Do you know what year it was? 02:47:20
14 A. Maybe 2015, '16, maybe a little longer than 02:47:21
15 that. I can't remember exactly. 02:47:41
16 Q. Okay. 02:47:43
17 A. I do remember it was New Year's Day. 02:47:44
18 Q. Okay. What other occasions have you been the 02:47:46
19 victim of violence or threatened violence because you 02:48:01
20 are a transgender woman or -- and/or transgender 02:48:03
21 woman of color? 02:48:07
22 A. Can you repeat the question? 02:48:07
23 Q. Yes. Just I want to go through each 02:48:14
24 incidence where you have been a victim of violence or 02:48:16
25 threatened with violence because you are a 02:48:20

1 transgender woman and/or a black transgender
2 woman.

3 A. Yeah, hanging out with friends and then
4 having the sense -- and being approached by guys who
5 did not know that we were transgender women and then
6 later being assaulted because we were transgender.
7 Once there was an incident where a guy pulled a
8 hammer and hit me up the side of my head with a
9 sledgehammer. And I still have that hammer somewhere
10 because I took it from him so he wouldn't hit me
11 again, but I still have that sledgehammer.

12 A guy hitting me in my face with a rock
13 because he was trying to I guess like talk to me and
14 get my like number, and I wasn't interested, he was
15 drunk and he didn't appreciate me turning him down.
16 He called me derogatory names related to how I was
17 presented as a female, and then he hit me in the
18 face with a rock. He chased me, and then once he
19 caught up with me, he hit me in the face with a
20 rock.

21 Q. He called you derogatory names?

22 A. Yes. He called me a faggot, tranny, things
23 that I don't -- words that I don't normally use that
24 are seen as foul language.

25 Q. Okay. Then you described just before that

1 you talked about that you were hanging out with your 02:50:17
2 friends in Midtown and some guys I guess didn't know 02:50:19
3 that you and/or your friends were transgender and 02:50:27
4 were unhappy when they discovered that? 02:50:27

5 A. Yes. We were at a -- not a restaurant, a 02:50:27
6 bar, an LGBTQ place where a lot of people go, and 02:50:42
7 there's a couple of other bars that are right next to 02:50:43
8 it and kind of share the same parking lot. And 02:50:48
9 there's a lot of like mixing of the patrons from the 02:50:51
10 different restaurant -- well, the restaurant and the 02:50:55
11 bar. And we were hanging out in the parking lot and 02:50:56
12 the guys pulled up. We don't know which bar they 02:51:06
13 were going in, but they pulled up, they saw us, they 02:51:07
14 talked to us, one of the guys was like you know, just 02:51:08
15 pointing and like you're a whatchamacallit, you're a 02:51:18
16 whatchamacallit. 02:51:18

17 And it kind of made me uncomfortable 02:51:22
18 because I was like -- I didn't understand what he was 02:51:27
19 saying when he was saying you're a whatchamacallit. 02:51:30
20 And then another guy was like, "Those are men", and 02:51:33
21 which start a confrontation between both groups. One 02:51:38
22 of the guys got a sledgehammer out of his car and hit 02:51:41
23 me in the face with it. 02:51:45

24 Q. Did you file any charges or call the police? 02:51:50

25 A. The police literally would always be in the 02:51:53

1	area and kind of like as like they were leaving, the	02:52:01
2	police pulled in and gave me and my friends a	02:52:04
3	citation.	02:52:09
4	Q. For what?	02:52:11
5	A. For loitering.	02:52:13
6	Q. What about when the guy chased you down and	02:52:16
7	hit you with a rock, did you call the police?	02:52:29
8	A. No.	02:52:31
9	Q. Okay. When did the incident with the hammer	02:52:32
10	happen?	02:52:40
11	A. I can't recall the exact date.	02:52:41
12	Q. Approximate date?	02:52:45
13	A. I'm sure it was the summertime, maybe 2014,	02:52:47
14	'13, something like that. Okay.	02:53:07
15	Q. What about the incident with the rock, do you	02:53:10
16	know when that happened?	02:53:12
17	A. Approximately not long after that. After	02:53:14
18	like having all of the things to happen, the	02:53:26
19	robberies, the assaults, the sexual violence and the	02:53:29
20	response from the police department and then talking	02:53:33
21	with other people who identified like me in the area	02:53:36
22	and their interactions with the police department,	02:53:40
23	and how it's just like what's the point. I just	02:53:44
24	stopped calling the police until the incident where I	02:53:51
25	was stabbed and cut up. And it was really more for	02:53:54

1 me calling for an ambulance, not the police.

02:54:00

2 Because when the police got there they
3 made jokes as though I wasn't standing there like
4 drenched in blood with towels wrapped around my arms
5 drenched in blood, it was more so a joking thing.
6 Because they knew me, like I said, I lived in Midtown
7 for five years. These particular cops, they didn't
8 rotate like other areas or other communities. These
9 cops stayed in the area throughout the rotation of
10 cops, so they knew me, I knew them. Yes, I have
11 video.

02:54:04

02:54:07

02:54:12

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02:54:33

02:54:38

12 Q. The incident where you were stabbed, did you
13 call the police or did the perpetrator call the
14 police, or both of you?

02:54:39

02:54:42

02:54:48

15 A. No, I -- both of us. So I called the police
16 initially because like I said, I was -- I had five
17 holes in my shoulder, my hands were literally cut
18 open. My partner called the police for me, called
19 the ambulance for me. I was taken to the emergency
20 room, I was admitted. Throughout that time I met
21 with detectives a few times. And on one of those
22 occasions they came into my hospital room and said
23 that they had found the person who stabbed me, and
24 they explained how they found him, and that was by
25 him calling the police a day later saying I think I

02:54:49

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02:54:54

02:54:58

02:55:02

02:55:05

02:55:10

02:55:14

02:55:17

02:55:20

02:55:24

1 killed someone. 02:55:28

2 Q. Any other -- 02:55:30

3 A. It surprised me that they even -- that they 02:55:31

4 found someone. And I knew it was not by any work of 02:55:36

5 their own, but clearly it was because the guy had 02:55:39

6 some type of guilty conscience and didn't know that 02:55:43

7 we were literally in front of my house when he 02:55:48

8 stabbed me. He just thought maybe it looked 02:55:51

9 like -- yeah, that maybe no one else had found me, or 02:55:54

10 I don't know. 02:55:57

11 Q. Any other times that you have been the victim 02:55:58

12 of violence or threatened violence besides those 02:56:05

13 you've described for us? 02:56:09

14 A. Just robbery at gunpoint, at knife point. 02:56:10

15 Q. And this is when -- the robbery, I think 02:56:22

16 you say you were robbed on several occasions while 02:56:28

17 [REDACTED] 02:56:32

18 [REDACTED] -- 02:56:34

19 A. [REDACTED] 02:56:34

20 Q. Okay. Well, how many times do you believe 02:56:35

21 you were robbed? 02:56:38

22 A. Maybe more than five times. 02:56:39

23 Q. And of those, how many times were [REDACTED] 02:56:49

24 [REDACTED] and how many times not? 02:56:54

25 A. Definitely like two of those times were 02:56:56

1 [REDACTED], and the other times were just like 02:57:08
2 wrong place wrong time kind of a deal. 02:57:19

3 Q. Okay. In all of those, the times when [REDACTED] 02:57:19
4 [REDACTED], do you 02:57:25
5 believe the robbery had to do -- do any of those 02:57:29
6 robberies have to do with the fact that you are a 02:57:32
7 transgender woman? 02:57:35

8 A. Yes. 02:57:36

9 Q. And how -- tell me which ones and how you 02:57:37
10 know that. 02:57:40

11 A. I would say all of them. All of them either 02:57:40
12 because of the location we were in, because there are 02:57:47
13 areas in Memphis that are known for LGBTQ folks to 02:57:55
14 hang out, like I said, Ms. Hanna's is one of those 02:57:59
15 areas. So when it happened there, I knew it was 02:58:05
16 directly related to my gender identity. And meeting 02:58:06
17 people, I have social apps where my gender identity 02:58:14
18 is clearly stated in my profile, those people will 02:58:20
19 come to my home with the intentions to rob me and 02:58:23
20 cause me harm versus my idea of, oh, I'm just a 02:58:29
21 person, they're attractive in eyesight, I would like 02:58:34
22 to get to know this person but their intentions were 02:58:37
23 totally opposite and malice. 02:58:42

24 Q. Okay. So on -- your gender identity is 02:58:45
25 displayed on social apps? 02:58:55

1 A. On some social apps where the purpose is to 02:58:57
2 date people, whether it is you're looking for 02:59:10
3 friendship or something more long-term I put it on 02:59:13
4 there just to notify people of the opposite sex -- or 02:59:17
5 not opposite sex, but opposite gender, that this is 02:59:23
6 how I identify to prevent the possibility of 02:59:29
7 violence. But in most cases I think it makes me 02:59:33
8 stand out. If a person is looking to do violence 02:59:37
9 specifically to someone who is transgender, my 02:59:40
10 profile will stand out. 02:59:45

11 Q. So your profile says transgender woman; 02:59:47
12 right? 02:59:52

13 A. Yes. 02:59:52

14 Q. Okay. All right. Any other times that you 02:59:53
15 have been the victim of violence or threatened 03:00:04
16 violence besides what you've described? Not that 03:00:07
17 it's not more than enough, trust me. I mean that's 03:00:12
18 a terrible -- that's a terrible, terrible history, 03:00:15
19 but... 03:00:19

20 A. Yes. I don't look like one of those girls. 03:00:20
21 But yeah, if you were to pull all of the incident 03:00:25
22 reports with my name on it, there would be like a 03:00:28
23 stack this high. 03:00:28

24 Q. Okay. Any others that you recall? You've 03:00:28
25 described the robberies, you've described being 03:00:28

1 stabbed, the person that hit you with the hammer, the 03:00:42
2 person that chased you down and hit you with a rock, 03:00:44
3 any others? 03:00:45

4 A. That's all of them. 03:00:45

5 Q. Okay. Have you -- have you ever been the 03:00:47
6 victim or threatened victim of housing discrimination 03:00:58
7 because of your status as a transgender woman? 03:01:03

8 A. Yes. 03:01:11

9 Q. Okay. Tell me each time that has happened. 03:01:12

10 A. That was during a time where I didn't 03:01:16
11 necessarily have a verifiable income. So I didn't 03:01:42
12 have access to like apartment complexes that had like 03:01:45
13 a hundred complexes like major, I was dealing with 03:01:50
14 once again, like private owners who didn't have to 03:01:54
15 follow any type of guidelines around how they took in 03:02:00
16 applications or denied applications. A lot of the 03:02:07
17 places that I could afford, they would have written 03:02:10
18 policies on renting to transgender women, but a lot 03:02:19
19 of them just would not. And that was common 03:02:24
20 knowledge in the community, was like oh, they're not 03:02:25
21 going to rent to you because you're tran. 03:02:29

22 Q. Did you ever actually try to rent somewhere 03:02:34
23 and you were declined? 03:02:38

24 A. Yeah, a few places, rent places where a few 03:02:45
25 people, their ads would be on like craigslist or 03:02:47

roommates.com.

Q. Did they -- here is what I'm -- what I'm asking, if you actually attempted to rent and the person just said I'm not going to let you rent here and it's because you're transgender.

A. No one specifically said those are the reasons. But like I said, the community here is pretty small and we share a lot of resources, whether that's like something that's tangible or this is a bit of information that you should know about this organization, or this is where you can find housing, or if this is the person that's over it, he's not going to allow you to rent there, because of things that have happened in the past.

Q. Okay. Have you ever attempted to rent a place to live and had them ask for or require your birth certificate?

A. No. Now, when I purchased my home, I did have to provide both documents during my credit check. Because when I initially did my credit check with my lender, I didn't have any credit history under my new name, so I had to give them a copy of my birth certificate. And at that time -- well, still now, but the name hadn't changed, nor the gender marker. But I had to show them documentation like my

1 birth certificate and my name change order from the 03:05:09
2 probate court here in Shelby County ordering my name 03:05:18
3 change to obtain credit history for my then name. 03:05:21
4 Q. Okay. 03:05:27
5 A. And that caused problems. 03:05:28
6 Q. Okay. Tell me about the problems. 03:05:29
7 A. It just went cold. The -- not the 03:05:31
8 conversation, but the relationship went cold between 03:05:38
9 my lender and myself. They would not call me back. 03:05:42
10 I couldn't get in contact with them. Yeah. And this 03:05:49
11 was after they called me to say you don't have any 03:05:56
12 credit history, I explained to them what the 03:05:59
13 situation was, submitted the documents I needed to 03:06:03
14 submit, and did not hear anything back from them. 03:06:08
15 Q. Okay. Did you -- did you ultimately obtain 03:06:12
16 the loan from that lender? 03:06:16
17 A. I did. I had to use some like -- some of the 03:06:18
18 activism, if you will, to just -- yeah, it was. 03:06:29
19 Yeah, it wasn't like something like strategic. It 03:06:34
20 was a friend posted something about predatory 03:06:37
21 lenders, and how they want to create a model that 03:06:41
22 wasn't predatory for poor and working class folks to 03:06:44
23 be able to borrow ^for land/or lend without it being 03:06:49
24 predatory. And I just commented and was like, "There 03:06:53
25 are some people within our community who are 03:06:57

1 predatory." And my lender was friends with that 03:07:01
2 person, saw that comment and didn't realize that her 03:07:05
3 employees had basically -- they weren't doing their 03:07:10
4 jobs. She didn't know what was happening on that 03:07:15
5 level of her -- of her company. She rectified that 03:07:18
6 situation for me and she offered me a product to 03:07:23
7 purchase my home. 03:07:28

8 Q. Okay. 03:07:29

9 A. Which is My Sistah's House. 03:07:30

10 Q. Which is your home now? 03:07:35

11 A. Yes. 03:07:37

12 Q. You bought the home? 03:07:37

13 A. Yeah. 03:07:38

14 Q. And live in that home now? Okay. 03:07:39

15 A. Yes. 03:07:41

16 Q. Paragraph 95 of the amended complaint says 03:07:41
17 "Ms. Gore is stigmatized and harmed by Tennessee's 03:07:49
18 birth certificate policy." Other than things that 03:07:55
19 we've already talked about today, how are you 03:07:57
20 stigmatized and harmed by the birth certificate 03:08:01
21 policy? 03:08:04

22 A. Well, one, they won't release my birth 03:08:07
23 certificate whether it has my old or new name, and 03:08:10
24 that's ^without the gender marker. And I think I 03:08:19
25 feel personally that it is directly related to this 03:08:19

1 case why they are not releasing my birth certificate 03:08:23
2 at this time, or refunding me the \$31 that I sent 03:08:24
3 them a money order for the new birth certificate. 03:08:27

4 And then also just cause me harm when I'm 03:08:32
5 having to present a birth certificate for whatever it 03:08:37
6 is, whether it is for resources or services, higher 03:08:41
7 education, employment, buying a house, renting an 03:08:46
8 apartment, wherever I would need to submit my birth 03:08:50
9 certificate, I don't have one that reflects 03:08:54
10 everything on all of the other identifying documents. 03:08:56

11 Q. Anything else? 03:09:01

12 A. So a lot of those times I just do not, if 03:09:02
13 that's a requirement, I kind of, you know, do a 03:09:07
14 case-by-case situation, is it worth me divulging that 03:09:11
15 I'm transgender and possibly facing discrimination or 03:09:17
16 harassment because I need this service, I don't feel 03:09:20
17 that that should be the case. 03:09:29

18 Q. Just going back, you said that they won't 03:09:30
19 release your birth certificate, what do you mean by 03:09:35
20 that? 03:09:38

21 A. So one of the things that I did at OUTMemphis 03:09:38
22 for three years that I kind of continue to do when 03:09:45
23 time allows, is I assist transgender and gender 03:09:49
24 nonconforming folks with the legal name change 03:09:51
25 process here in Shelby County. And also some people 03:09:53

1 in the surrounding areas, we're connecting them to 03:09:57
2 resources and lawyers. And the process has been 03:10:03
3 pretty much the same for a lot of individuals I have 03:10:06
4 assisted with the legal process, and especially with 03:10:09
5 the birth certificate, it's normally no longer than 03:10:12
6 45 days you'll have a new birth certificate with your 03:10:16
7 updated name from the Office of Vital Records in 03:10:20
8 Nashville, and that hasn't been the case with me. 03:10:26

9 Q. Okay. So you think that somehow they're 03:10:30
10 holding back your name change? 03:10:34

11 A. Yeah. And it could be just me thinking that 03:10:35
12 way and that it's not actually factual, I'm just 03:10:41
13 speculating. But I just don't understand why mine is 03:10:43
14 not as routine as it has been in the past. 03:10:48

15 Q. Okay. And then you said another part of 03:10:51
16 this, your response is that you really consider on a 03:10:59
17 case-by-case basis if you are going to have to turn 03:11:02
18 over a birth certificate is it worth it, is it worth 03:11:08
19 it to have to turnover my birth certificate. And 03:11:13
20 you've described some situations -- 03:11:16

21 A. I'm sorry. 03:11:18

22 Q. No, that's all right. You've described some 03:11:20
23 situations where you have or -- you have had to do 03:11:23
24 that, some where you didn't want to do that. Are 03:11:27
25 there others that you haven't told me about yet today 03:11:29

1 didn't want to apply for, services you didn't want to 03:13:08
2 apply for, money that you didn't want to apply for, 03:13:12
3 specific ones that you have not applied for because 03:13:15
4 you did not want to show a birth certificate. 03:13:18

5 A. School, I did want to go back to school 03:13:21
6 because Tennessee had a, I believe it's called the 03:13:32
7 Tennessee reconnect program, where they pay for two 03:13:34
8 years of college for individuals who dropped out of 03:13:37
9 school or did not complete their program. I wanted 03:13:42
10 to enter back into school through that program and I 03:13:47
11 had to submit my birth certificate and I just didn't 03:13:50
12 feel -- I didn't feel whole submitting that, so I 03:13:54
13 didn't enter into that program. 03:13:58

14 And I'm not 100 percent that's the name of 03:14:00
15 it, but it's a program that's funded by the State to 03:14:04
16 help people who were in college, didn't complete it, 03:14:10
17 get back in college and be able to have it fully paid 03:14:14
18 for. 03:14:17

19 Q. Okay. Did you have any reason to believe you 03:14:17
20 would be denied because of your transgender status? 03:14:21

21 A. I don't -- the college that -- the college I 03:14:30
22 was interested in, I don't think they would have 03:14:34
23 denied me. They were very interested in me being a 03:14:36
24 student at that college. However, I felt as though I 03:14:42
25 wasn't -- I wasn't prepared mentally to go through 03:14:48

1 that process because I didn't know what the outcome
2 would be, or what their process would look like as
3 far as how much discrimination am I going to have to
4 face throughout this, or how many hurdles are going
5 to be put in front of me because I am transgender.

6 Q. Okay. But -- but going back to my original
7 question, I understand the answer you've given, but
8 you didn't have a reason to believe that the State of
9 Tennessee was just going to say we're just not
10 giving, we're just not going to give Kayla Gore that
11 money because Kayla Gore is a transgender woman?

12 A. I don't know the answer to that, because I
13 don't want to speculate what other people would do.
14 But just by being a resident of the Tennessee -- of
15 the State of Tennessee for 31 -- 33 years of my life,
16 yeah, I didn't think that I had a great chance.

17 Q. Because you are a transgender woman, or for
18 another reason?

19 A. Because I'm transgender.

20 Q. Okay. So and I know the program you're
21 talking about, and I think it may be called -- I
22 think you may be right, it's called something like
23 Tennessee reconnect, or but you, you believe that the
24 persons considering the Tennessee reconnect program
25 would have discriminated against you and denied you

1 that funding because you are a transgender woman? 03:16:26

2 A. I don't want to say never, because -- okay. 03:16:29

3 Thank you. I don't want to say that they would have 03:16:34

4 denied me. What I will say that I felt like it was 03:16:37

5 going to be a harder process for me than it would 03:16:44

6 have been for someone who didn't identify the way I 03:16:48

7 do. 03:16:51

8 Q. All right. Let's look, let's see, I think 03:16:51

9 we're done with the amended complaint. 03:17:26

10 MS. KADIVAR: Kayla, do you want to take 03:17:37

11 a break? 03:17:37

12 THE WITNESS: Yeah, we can take a 03:17:39

13 five-minute break. 03:17:41

14 MS. SHEW: Okay. Let's do this. Because 03:17:43

15 I'm afraid if we all sign off, I think we -- just 03:17:47

16 anyone that wants to close their screen can, and mute 03:17:51

17 your mic. And it's 3:17, so let's come back about 03:17:54

18 3:25 or so, just take a quick break. 03:17:54

19 (Short break.) 03:17:54

20 BY MS. SHEW: 03:17:54

21 Q. All right. We're back on the record. 03:38:01

22 Ms. Gore, when we left for the break, we were talking 03:38:03

23 about college. And I had asked you just as a general 03:38:15

24 proposition, about things that you didn't want to 03:38:19

25 even try to apply to do, because you were concerned 03:38:23

1 that you would not -- you would not be successful 03:38:28
2 because of your status as a transgender woman. And 03:38:33
3 you talked about school and the Tennessee program 03:38:33
4 that allows people to enter and complete their 03:38:37
5 degrees. You had also mentioned, started talking 03:38:40
6 about school in a detailed manner, you talked about 03:38:47
7 things like State, Federal, County, local services 03:38:52
8 like food stamps, rental resources, things available 03:38:54
9 during the COVID crisis, various kinds of Government 03:38:59
10 programs. Have you ever not applied for a particular 03:39:06
11 Government program because you thought you would not 03:39:09
12 be accepted? 03:39:12

13 A. Yes, for SNAP benefits. 03:39:14

14 Q. Okay. When was that? 03:39:20

15 A. I can't remember the exact year when. I 03:39:22
16 would say anywhere from 2010 to maybe 2013, '14, 03:39:42
17 different instances where I found myself unemployed 03:39:51
18 and those -- needing access to SNAP or food stamp 03:39:54
19 benefits. And I would always have a hard time 03:39:59
20 getting those resources, one, because my birth 03:40:06
21 certificate said male, and just from experience, men 03:40:10
22 have a harder time getting approved for SNAP 03:40:16
23 benefits. I've had a hard time before my transition, 03:40:20
24 getting approved for SNAP benefits. I've had the 03:40:28
25 people, once they started the process where you 03:40:31

1 didn't have to actually come in and you can do 03:40:33
2 telephone interviews, I had the counselor who was 03:40:36
3 supposed to call me after I submitted my birth 03:40:43
4 certificate to lie and say that she called me when 03:40:44
5 she didn't call me. I followed up with her 03:40:47
6 supervisor, and her supervisor did a query. At that 03:40:50
7 time I didn't know what that meant, but she said she 03:40:55
8 would do a query on my number, and that was to see if 03:40:59
9 anyone from that agency had called me. And she said 03:41:02
10 that no one had called me from that agency. So there 03:41:06
11 was no way I could possibly miss a telephone 03:41:09
12 interview where they would call me. She reached back 03:41:13
13 out to that counselor, asked her to follow up with me 03:41:16
14 to complete the interview. She informed me she would 03:41:18
15 complete the interview by that day, she never called 03:41:21
16 me to complete the interview. I had to call the 03:41:24
17 supervisor back again. Ultimately the supervisor 03:41:26
18 ended up giving my case to someone else because this 03:41:30
19 person just refused to do her job when it -- when it 03:41:34
20 related to me. 03:41:38

21 Q. And do you believe that had anything to do 03:41:40
22 with the fact that you are a transgender woman? 03:41:46

23 A. Yes. 03:41:50

24 Q. And why is that? 03:41:51

25 A. Because as I stated, she lied about calling 03:41:53

1 me. All of these things happened after I submitted
2 the documentation that she required, which was a
3 termination letter, my birth certificate, photo ID, I
4 think that is about it.

5 Q. Okay. Did you ultimately get the benefits?

6 A. Yes.

7 Q. Okay. Have you ever -- is there -- are there
8 any other situations where you had difficulty like
9 that, or were denied benefits in any sort of
10 government assistance program?

11 A. No.

12 Q. Okay. Okay. Do you carry your birth
13 certificate with you, you know, on your person, in
14 your purse, in your jacket?

15 A. No.

16 Q. Do you carry your State ID with you?

17 A. Yes.

18 Q. Okay. And you do not have a driver's
19 license; correct?

20 A. That is correct.

21 Q. What -- why do you not have a driver's
22 license?

23 A. My licenses are suspended.

24 Q. Okay. Do you know when your license is due
25 to be reinstated?

1 A. I know there is a process for people whose 03:43:49
2 licenses have been suspended -- suspended or revoked 03:43:52
3 or canceled due to financial reasons. I know there 03:43:57
4 is a process to regain your license if it's been 03:43:59
5 suspended due to financial reasons, which is the case 03:44:05
6 for me. But I don't know of a specific date that I'm 03:44:08
7 eligible to be reinstated. 03:44:14

8 Q. Okay. Have you ever had any communications 03:44:17
9 with anybody at the Tennessee Department of Health 03:44:24
10 about your birth certificate? And by that I mean, it 03:44:29
11 could be written, e-mail, letter, telephone call, 03:44:33
12 have you ever communicated with the Tennessee 03:44:37
13 Department of Health about your birth certificate? 03:44:39

14 A. No one specific to vital records, but I do 03:44:43
15 have colleagues that work at the Tennessee Department 03:44:51
16 of Health. I used to be the chair of the transgender 03:44:54
17 task force that was housed at the Tennessee 03:45:03
18 Department of Health, but no one specific to vital 03:45:04
19 records, and nothing more than just I'm preparing for 03:45:09
20 this, or nothing that was like let's have a 03:45:14
21 conversation about birth certificates. Just general 03:45:17
22 updates of my life, but nothing that was specific to 03:45:21
23 a conversation around it. 03:45:26

24 Q. Okay. So you have -- you have friends or 03:45:27
25 acquaintances at the Tennessee Department of Health, 03:45:31

1 and specifically within the Office of Vital Records;
2 is that correct?

3 A. No.

4 Q. Just the Department of Health?

5 A. Yes.

6 Q. Okay. Not in vital records?

7 A. Correct.

8 Q. Okay. So if I understand your answer, you
9 may have had social conversations or general
10 conversations with persons at the Tennessee
11 Department of Health who are friends of yours;
12 correct?

13 A. Correct.

14 Q. But as to my question, which is whether
15 you've ever discussed your birth certificate or your
16 desire to change your birth certificate or anything
17 about your birth certificate, you haven't had those
18 conversations with persons at the Department of
19 Health; is that correct or not correct?

20 A. I have had conversations with a person who
21 works at the Tennessee Department of Health, not in
22 vital records. She works more so on the infections
23 and disease side of the Department of Health. And
24 during a check-in on one of our task force calls, I
25 stated that I am working on declarations for the case

1 against the Governor. And her response was, "I'm 03:46:52
2 sorry that that is a thing that you have to go 03:46:58
3 through in order to have a right to change mistakes 03:47:02
4 on your birth certificate." And then we moved on to 03:47:06
5 the actual topic for that call. 03:47:09

6 Q. Okay. Who was that person? 03:47:11

7 A. Her name is Katherine ^Bushmann. 03:47:21

8 Q. Do you know how that last name is spelled? 03:47:27

9 A. No. 03:47:32

10 Q. Could you say it again? 03:47:32

11 A. Katherine -- oh, her last name Bushmann, 03:47:34
12 it's -- yeah, I can't think of it off of the top of 03:47:46
13 my head, no, how to spell it. 03:47:51

14 Q. Just say it one more time, I'm sorry, because 03:47:53
15 it's cutting out a little bit. 03:47:55

16 A. Bushmann. 03:47:57

17 Q. Bushmann. Okay. Close enough. And so no 03:48:01
18 other conversations with anybody at vital records or 03:48:07
19 at the Department of Health about your birth 03:48:10
20 certificate? I mean, you told us you sent in a form 03:48:12
21 requested a name change, but -- and you used to be 03:48:16
22 the chair of transgender task force that is housed at 03:48:20
23 the Department of Health, when was that? 03:48:25

24 A. 2018 to probably the end of 2019. I'm still 03:48:28
25 a part of the task force, but just not the chair. 03:48:44

1	Q.	You guessed my next question, which is	03:48:47
2		whether you are still part of the task force.	03:48:47
3	A.	Yes.	03:48:47
4	Q.	Where are you currently employed?	03:49:21
5	A.	The Transgender Law Center, and on	03:49:21
6		Southerners on New Ground.	03:49:21
7	Q.	Transgender Law Center, and what did you say?	03:49:25
8	A.	Southerners on New Ground, or SONG, S-O-N-G.	03:49:25
9	Q.	Okay. Where is the Transgender Law Center	03:49:46
10		located?	03:49:52
11	A.	In Oakland, California.	03:49:53
12	Q.	Do you ever work in Oakland or do you work in	03:49:55
13		Memphis?	03:50:05
14	A.	I'm based in Memphis, but I go to Oakland	03:50:05
15		maybe twice a year at minimal.	03:50:13
16	Q.	How long have you worked there?	03:50:26
17	A.	A little over a year.	03:50:28
18	Q.	And do you get a salary there?	03:50:30
19	A.	Yes.	03:50:35
20	Q.	Okay. Okay. Is Southerners on the Ground a	03:50:37
21		different organization?	03:51:05
22	A.	Yes.	03:51:07
23	Q.	Okay. And what's your -- well, let's start	03:51:08
24		with -- well, let's let me go back to Transgender Law	03:51:12
25		Center first. What is your title there?	03:51:17

1 A. Southern regional organizer. 03:51:19
2 Q. Okay. All right. 03:51:22
3 A. This is a partnership between both 03:51:24
4 organizations, so it's the same title for both, and 03:51:28
5 the same duties and responsibilities for both. 03:51:30
6 Q. Okay. So -- so it's two different 03:51:32
7 organizations but you have the same title and the 03:51:37
8 same responsibilities. So are they sort of jointly 03:51:44
9 employing you; is that accurate? 03:51:45
10 A. Yes. Collaboration. 03:51:48
11 Q. Okay. Do they each pay part of your salary? 03:51:49
12 A. Yes. 03:51:53
13 Q. All right. I think we're, I'm about done, 03:51:55
14 but before I wrap up, I want you to just think 03:52:17
15 through one more time. I know I've probably asked 03:52:22
16 you this five different times, but just one more 03:52:24
17 time, any incidents that you haven't described today 03:52:28
18 where you were looking for a job, a house, a bank 03:52:32
19 loan, anything, and were requested or required to 03:52:39
20 present your birth certificate other than those that 03:52:44
21 you have already told me about today? 03:52:49
22 A. No. 03:52:49
23 Q. All right. Ms. Gore, I believe that's all of 03:54:19
24 the questions I have for you today. Thanks to 03:54:20
25 everybody for your patience with the somewhat 03:54:25

1 cumbersome -- during this via WebEx, and sorry again
2 for my barking dog. Oh, what are you going to do.
3 So anyway, we'll, except for Ms. Gore, we'll see some
4 or all of you tomorrow.

03:54:30

03:54:31

5 THE REPORTER: One moment. This is the
6 court reporter. I just need to go over a few things.
7 There were no exhibits marked.

8 MS. SHEW: Oh, I'm sorry. I would like
9 to mark the amended complaint as Exhibit 1. Thank
10 you. And that's the only exhibit we need today.

03:54:55

03:54:57

11 (WHEREUPON, a document was marked as
12 Exhibit Number 1.)

13 THE REPORTER: Okay. And then did you
14 want to order a copy of the transcript, Ms. Shew?

15 MS. SHEW: Yes.

16 THE REPORTER: Okay. And how about Sasha
17 and Samoneh, do both of you want copies?

18 MS. KADIVAR: Yes, if we could get copies
19 and if we could get a rough draft as soon as
20 possible, that would be great. And then the other
21 thing I just wanted to state for the record, if we
22 can agree that all of the personal information that
23 was talked about in this deposition today, including
24 Government benefits, you know, the license that's
25 been held, that kind of stuff, if we can designate

1 all of that as confidential, that would be great. I
2 don't know, Diana, if you dispute that at all.

03:55:38

3 MS. SHEW: I have no objection to
4 designating personal information as confidential.

5 THE REPORTER: Okay. Sasha, did you want
6 to order a copy of the transcript?

7 MS. BUCHERT: Yes, please. That would be
8 great. Thank you.

04:02:51

9 THE REPORTER: Okay. And let me see
10 here. Ms. Shew, we're still on for tomorrow, then;
11 correct?

12 MS. SHEW: Yes.

13 THE REPORTER: Okay.

14 MS. KADIVAR: If you could just give me
15 one minute, let me just double-check, make sure that
16 I don't have any questions. If you guys would just
17 give me two minutes.

18 THE REPORTER: Sure.

19 CROSS-EXAMINATION

20 QUESTIONS BY MS. KADIVAR:

21 Q. I just have one question for you, Ms. Gore.
22 I know you're not here to testify as an expert, but
23 in your opinion, is sex the same as gender?

04:02:55

04:02:58

04:03:04

24 A. Can you repeat the question for me? I'm
25 sorry.

04:03:09

04:03:09

1	Q.	I know you're not here testifying as an	04:03:12
2		expert, but sex is the same as gender in your	04:03:14
3		opinion; correct?	04:03:16
4		MS. SHEW: Object to the form.	04:03:21
5		THE WITNESS: Is sex the same as gender,	04:03:22
6		is that the question?	04:03:29
7		BY MS. KADIVAR:	04:03:29
8	Q.	Yes, that's the question. In your opinion.	04:03:32
9	A.	Yes, I believe -- complaint so, yes.	04:03:36
10		MS. SHEW: I didn't hear the answer, it	04:03:36
11		broke up. I'm sorry.	04:03:36
12		THE WITNESS: I said yes, I agree.	04:03:48
13		MS. KADIVAR: No further questions for	04:03:51
14		me.	04:06:03
15		THE REPORTER: Okay. If there are no	
16		other questions, we are going off the record.	
17		MS. SHEW: Give me about two minutes, I	
18		may have a follow-up question based on that question.	
19		THE REPORTER: Yes, ma'am.	
20		REDIRECT EXAMINATION	
21		QUESTIONS BY MS. SHEW:	
22	Q.	Ms. Gore, at the beginning of your deposition	04:06:12
23		you acknowledged that you do not consider yourself to	04:06:15
24		be an expert on the distinction if any, between sex	04:06:18
25		and gender; correct?	04:06:21

1 A. Correct, I'm not an expert. 04:06:28

2 Q. All right. So anything that you're offering 04:06:31

3 in that regard is simply your opinion as a person; 04:06:33

4 correct? 04:06:33

5 A. It will be my opinion based off of my 04:06:46

6 experience and the work that I do. 04:06:51

7 Q. Okay. Tell me -- tell me why that experience 04:06:52

8 makes you different from any other American 04:06:55

9 that -- well, let me ask it a different way. Do you 04:06:57

10 have any medical training? 04:07:05

11 A. No, no formal medical training. 04:07:07

12 Q. Well, any informal medical training? 04:07:15

13 A. Can you be more specific when you say 04:07:17

14 "medical"? 04:07:28

15 Q. Well, not really. I mean, you said you have 04:07:29

16 no formal medical training, I'm asking do you have 04:07:38

17 informal medical training. 04:07:41

18 A. No. 04:07:42

19 Q. Okay. That's all I have. 04:07:43

20 MS. KADIVAR: That's all from us, we'll

21 read and sign.

22 FURTHER DEPONENT SAITH NOT

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E R R A T A P A G E

I, KAYLA GORE, having read the foregoing
videoconference deposition under oath, pages 1
through 85, do hereby certify said testimony is a
true and accurate transcript, with the following
changes (if any):

PAGE	LINE	SHOULD HAVE BEEN
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KAYLA GORE

Notary Public

My Commission Expires: _____

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1 REPORTER'S CERTIFICATE

2 STATE OF TENNESSEE

3 COUNTY OF SHELBY

4
5 I, MICHELLE SMITH, Licensed Court Reporter,
6 with offices in Nashville, Tennessee, hereby certify
7 that I reported the foregoing videoconference
8 deposition of KAYLA GORE by machine shorthand to the
9 best of my skills and abilities, and thereafter the
10 same was reduced to typewritten form by me.

11 I am not related to any of the parties named
12 herein, nor their counsel, and have no interest,
13 financial or otherwise, in the outcome of the
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E R R A T A P A G E

I, KAYLA GORE, having read the foregoing
videoconference deposition under oath, pages 1
through 85, do hereby certify said testimony is a
true and accurate transcript, with the following
changes (if any):

PAGE	LINE	SHOULD HAVE BEEN
<u>40</u>	<u>6</u>	<u>"raw" should be "ROG"</u>
<u>54</u>	<u>15</u>	<u>"tran" should be "trans"</u>
<u>64</u>	<u>21</u>	<u>"tran" should be "trans"</u>
<u>66</u>	<u>23</u>	<u>"^for land/or" should be "for land or"</u>
<u>67</u>	<u>24</u>	<u>"^without" should be "without"</u>
<u> </u>	<u> </u>	<u> </u>
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KAYLA GORE

Notary Public

My Commission Expires:

Reported by: Michelle Smith, RMR, LCR, CCR, FPR, CLR

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

KAYLA GORE, JAIME COMBS, L.G., and
K.N.,

Plaintiffs,

v.

WILIAM BYRON LEE, in his official
capacity as Governor of the State of
Tennessee and LISA PIERCEY, in her
official capacity as Commissioner of the
Tennessee Department of Health,

Defendants.

Case No. 3:19-cv-00328

Judge Eli J. Richardson
Magistrate Judge Barbara Holmes

ERRATA DECLARATION

I, Kayla Gore, having read the foregoing transcript of my deposition taken on April 13, 2020, pages 1 through 85, do hereby certify under penalty of perjury under the laws of the United States of America that said deposition testimony is a true and accurate transcript, with the changes detailed on the attached errata page.

Executed on this 15 day of May 2020.

Kayla Gore

Kayla Gore

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